

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82942 of 2024

Arising Out of PS. Case No.-243 Year-2024 Thana- NASRIGANJ District- Rohtas

1. Bashisth Narayan Singh, Son of Nand Bihari Singh, R/o - Pokh raha, P.O - Lala Atimi, P.S - Nasriganj, District- Rohtas
2. Radhabalabh Singh, Son of Nand Bihari Singh, R/o - Pokh raha, P.O - Lala Atimi, P.S - Nasriganj, District- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Tiwary, Advocate
For the Opposite Party/s : Mr.Syed Ehteshamuddin, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 11-12-2024 Heard learned counsel for the petitioners and Mr. Syed Ehteshamuddin, learned APP for the State.

2.The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Nasriganj P.S. Case No. 243 of 2024 instituted for the offence under Sections 109(3)(5) of Bhartiay Nyaya Sanhita, 2023 and Section 27 of the Arms Act.

3. The case of the prosecution is that the informant and the petitioners are agnates and they are having land dispute. On the date of occurrence, the husband of the informant and her son were sitting at their Poultry Farm. At that time, the accused persons along with 2-3 others being armed with country made



pistol arrived there. Shyam Bihari Singh and Radha Balan Singh started shouting and on their order Vijay Narayan Singh @ Jaicky, Krishna Kumar and Bashisth Narayan Singh opened fire on the leg of the informant's husband due to which he received gunshot injury in his left leg.

4. Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have committed no offence. They have falsely been implicated in this case due village politics and land dispute. It is further submitted that from perusal of the F.I.R., it is clear that the allegation of opening fire is on Vijay Narayan Singh @ Jaicky, Krishna Kumar and Bashisth Narayan Singh whereas the fire of Jaicky hit the leg of the informant's husband. There is specific allegation against Vijay Narayan Singh @ Jaicky who is not the petitioners. The allegation of firing against these petitioners is general and omnibus. Only the fire made by Jaicky hit the leg of the informant's husband. Petitioners are having no criminal antecedent.

5. In contra, learned APP appearing for the State has opposed the prayer of bail of the petitioners.

6. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this



Court is inclined to enlarge the petitioners on bail. The petitioners are directed to surrender in the Court below within a period of four weeks from today and in the event of their arrest or surrender in connection with Nasriganj P.S. Case No. 243 of 2024, they will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Bikramganj, Rohtas, subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Ashok Kumar Pandey, J)

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